

PATENT
ATTORNEY DOCKET NO. 44921-5029-01-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

William E. MUNGER *et al.*

Application No.: 09/960,706

Filed: September 24, 2001

For: IDENTIFYING DRUGS FOR AND
DIAGNOSIS OF BENIGN PROSTATIC
HYPERPLASIA USING GENE
EXPRESSION PROFILES

Group Art Unit: 1645

Examiner: Unassigned

Commissioner for Patents
Washington, D.C. 20231

Sir:

PRELIMINARY AMENDMENT

IN THE CLAIMS:

Please amend claims 1, 6, 7, 22, 28, 47 and 48 as follows:

1.(amended) A method of screening for or identifying an agent that modulates the onset or progression of benign prostatic hyperplasia (BPH), comprising:

- A1
- (a) preparing a first gene expression profile of BPH cells or BPH-like cell population;
 - (b) exposing the cells to the agent;
 - (c) preparing a second gene expression profile of the agent exposed cells; and
 - (d) comparing the first and second gene expression profiles.

A2

6.(amended) The method of claim 1, wherein the BPH cell is selected from the group consisting of prostate cells from a BPH patient, a cell line in Table 7 and a derivative thereof.